

Note:

This document is a summary of the relevant Auckland Unitary Plan (Operative in Part) (AUP (OP)) chapters to assist with determining if mana whenua values can be considered in relation to a consent application under the AUP (OP).

The AUP (OP) is updated over time and updates will be made to these chapter summaries quarterly. This chapter summary reflects the AUP (OP) provisions as of June 2021. As changes may be made to the AUP (OP) more frequently than this document is updated, please refer to the AUP (OP) for the full text and provisions.

I418. Kingseat**Table I418.4.1 Activity table 1 – Sub-precinct A-G**

Activity		Activity status						
		A	B	C	D	E	F	G
(A1)	Any permitted activity seeking to operate outside the hours specified in the Performance Standards	P						
	Residential							
(A2)	More than a single dwelling on a site within the Single House zone		D					
(A3)	One dwelling on sites no less than a net site area of 450m ²		P					
(A4)	Dwellings on sites less than 1500m ²						NC	
(A5)	Dwellings on sites less than 2500m ²							NC
(A6)	One dwelling on a site of 325m ² -500m ² located 200 metres from a neighbourhood park complying with Standards H4.6 in the H4 Residential - Mixed Housing Suburban Zone with the exception of: <ul style="list-style-type: none"> H4.6.1 Activities listed in Table I418.4.1; H4.6.2 Home occupations; and H4.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings 		D					
(A7)	More than one dwelling on a site less than 300m ² in net site area		NC	NC	NC		NC	NC
(A8)	More than two dwellings within existing Protected Heritage Places identified on Precinct plan 3 - Protected heritage place and trees of merit.	RD						

(A9)	More than two dwellings within an existing building	RD						
(A10)	Residential development not complying with I418.6.6 main frontage control.				NC			
(A11)	Home occupation within existing Protected Heritage Places identified as A57, A58 , A59 and A61 on Precinct plan 3 - Protected heritage place and trees of merit.	RD						
(A12)	Any new dwelling where required road works associated with the full adjoining road frontage of any development area have been completed.	P	P	P	P		P	P
(A13)	Any new dwelling where required road works associated with the full adjoining road frontage of any development area either: are proposed in an application; are covered by a roading infrastructure agreement.	RD	RD	RD	RD		RD	RD
(A14)	Any new dwelling constructed where no roading plan has been prepared for the relevant section of public road specified in Kingseat:Precinct plan 9 – Public road sections requiring a roading plan.	NC	NC	NC	NC		NC	NC
(A15)	Any new dwelling constructed within a development area where required road works associated with the full adjoining road frontage either: are not proposed in an application; are not covered by a roading infrastructure agreement; have not already been completed.	NC	NC	NC	NC		NC	NC
(A16)	Visitor accommodation	RD						
(A17)	Multi-Unit Housing (any residential development, whether of attached or detached structures or a combination thereof, which provides for the existence or establishment of more than one household on a site) within an existing Building	RD						
(A18)	Special Housing Development (being a residential development intended to suit the particular residential needs and characteristics of a homogenous group of people and includes any building or buildings)	RD						

(A19)	Live Work Units (being a single unit consisting of a workshop, workroom, home enterprise or home occupation with a residential component that is occupied by the same owner/tenant.)	RD						
(A20)	Integrated residential development, Supported residential care and boarding houses	RD						
(A21)	Community							
(A22)	Marae Complex and Kokiri Centres	P	P					
(A23)	Education facilities	RD						
(A24)	Hospital (but not including a Psychiatric Hospital as defined in the Mental Health Act 1969)	RD						
(A25)	Public Toilets except in building 52 within the Kingseat Heritage Mixed Use Overlay	RD						
(A26)	Public amenities within existing Protected Heritage Places identified as A57, A58 , A59 and A61 on Precinct plan 3 - Protected heritage place and trees of merit.	RD						
(A27)	Public amenities	RD						
	Commerce							
(A28)	Retail selling predominantly convenience goods up to 400m ² GFA	RD						
(A29)	Retail selling predominantly convenience goods greater than 400m ² GFA	D						
(A30)	Veterinary clinics and health facilities not exceeding 400m ² total GFA	P						
(A31)	The selling of hand crafts	P						
(A32)	Cafe up to 100m ² of GFA within existing buildings as at 31 May 1994	P						
(A33)	Restaurants and cafes	P						
(A34)	Outdoor eating places within existing Protected Heritage Places identified as A57, A58 , A59 and A61 on Precinct plan 3 - Protected heritage place and trees of merit.	RD						
(A35)	Outdoor eating places	RD						
(A36)	Fitness centres within buildings up to 400m ² total GFA	P						

(A37)	Entertainment facilities up to 400m ² total GFA within existing protected Heritage Places identified as A57, A58 , A59 and A61 on Precinct plan 3 - Protected heritage place and trees of merit.	RD						
(A38)	Entertainment facilities up to 400m ² total GFA	RD						
(A39)	Offices within existing Protected Heritage Places identified as A57, A58 , A59 and A61 on Precinct plan 3 - Protected heritage place and trees of merit.	RD						
(A40)	Offices	RD						
(A41)	Offices ancillary to any permitted activity	P						
(A42)	Industry							
(A43)	Manufacturing not exceeding 400m ² total GFA	P						
(A44)	Industrial laboratories within existing Protected Heritage Places identified as A57, A58 , A59 and A61 on Precinct plan 3 - Protected heritage place and trees of merit.	RD						
(A45)	Workshops and Workrooms (i.e. buildings or rooms, in which articles, goods or produce are assembled, fabricated, prepared and/or repaired.)	P						
(A46)	Rural							
(A47)	Equestrian/Horse training centre	P						
	Development							
(A48)	Construction of new buildings	RD						
(A49)	Internal alteration to the buildings existing as at 31 May 1994, where there is no change in site coverage or building height	P						
(A50)	Repair, redecoration and insignificant alteration to the buildings existing as at 31 May 1994, carried out with materials similar in appearance to those originally used	P						
(A51)	Modification, demolition or removal of any part of buildings A62, A63, A64, A65, A66 and A67 as identified on Kingseat: Precinct plan 11 Adaptive reuse areas and development potential.	RD						

A52)	<p>For any heritage item listed in I418.11.1 Kingseat: Precinct schedule 1 - Heritage resources (historic buildings, structures and areas): -</p> <ul style="list-style-type: none"> (a) any external modification, except re-painting, of any building or object; (b) any removal, relocation or demolition; (c) any work within 6 metres of the exterior surface of any building or object except: <ul style="list-style-type: none"> (i) where the building or work is on a public road or reserve; (ii) where such work is on a different SITE and that SITE was in existence as at 31 May 1994; (d) any new building within the Heritage setback (former Kingseat Hospital site); (e) any activity which would offend mana whenua in terms of the known spiritual or cultural associations; 	RD	RD	RD	RD	RD	RD	RD	
Subdivision									
(A53)	Subdivision in the Kingseat Precinct which complies with Standards I418.6.10 to I418.6.16.	RD							
(A54)	Subdivision in Sub-precinct B, and Sub-precincts F and G that does not comply with I418.6.11 Minimum site size road frontage, size requirements	NA	D	NA	NA	NA	D	D	
(A55)	Medium density subdivision (net site area down to 325m ²) or that approved by resource consent in Sub-precinct C	NA	NA	C	NA	NA	NA	NA	
(A56)	Subdivision involving cul-de-sac roads	D							
(A57)	Subdivision creating a rear site in Sub-precinct F of the Kingseat precinct	NA	NA	NA	NA	NA	NC	NA	
(A58)	Subdivision which does not comply with any Standards I418.6.10 to I418.6.16 excluding lots not connected to a public reticulated water supply or public reticulated wastewater network.	D							

(A59)	Subdivision which complies with all Standards I418.6.10 to I418.6.16 and is located outside the area identified in I418.6.8 Historic heritage alert setback.	RD
(A60)	Subdivision which complies with all standards in with I418.6.10 to I418.6.16 and is located within the I418.6.8 Historic heritage alert setback	D
(A61)	Subdivision which does not comply with Standards I418.6.10 to I418.6.16 provided that, at the time at which the application is lodged with Council, all necessary resource consents have been obtained for a public reticulated water supply network and a public reticulated sewage disposal system, and where such resources consents are still in force at the time of determination.	D
(A62)	Subdivision of sites within the Kingseat Precinct not connected to a public reticulated water supply or a public reticulated sewage disposal system and where all necessary resource consents have not been granted for a public reticulated water supply network and a public reticulated sewage disposal system.	NC
(A63)	Any subdivision within the Kingseat Precinct relating to an area identified in Kingseat: Precinct plan 9 – Public road sections requiring a roading plan where no roading plan for the relevant section of existing public road has been prepared.	NC
(A64)	Any subdivision within the Kingseat Precinct within a development area identified on Kingseat: Precinct plan 10 - Kingseat development area, where the required road works associated with the full adjoining road frontage, either: <ul style="list-style-type: none"> a) are not proposed as part of the subdivision application, or b) are not covered by a roading infrastructure development agreement, or c) have not already been completed. 	NC

I418.8. Assessment – restricted discretionary activities

I418.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

(1) Matters of discretion (General):

- (a) measures for the protection and/or enhancement of archaeological sites, and cultural and heritage resources and the coastal environment;

I418.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) The extent to which an integrated stormwater management approach has been adopted including:
 - (a) whether incremental and cumulative adverse effects of increased stormwater flows including such effects on stream channels and stream health, natural character, biodiversity, erosion and stability and community and Mana Whenua values has been avoided, or if not avoided then mitigated;
 - (b) the extent to which incremental and cumulative adverse effects of stormwater contaminants on receiving environments including on biodiversity, community and Mana Whenua uses and values have been avoided, or if not avoided then mitigated.
- (2) Whether archaeological sites, and cultural and heritage resources have been protected, retained or enhanced, including the following considerations:
 - (a) In relation to proposals affecting heritage resources listed in Kingseat Precinct Schedule 1: Heritage Resources (Historic Buildings, Structures and Areas) :
 - (i) whether the opinion of an Architectural Conservator, Archaeologist, Historian, Mana Whenua representative, or other suitably qualified or experienced person has been sought;
 - (ii) where the heritage resources would be compromised or lost, the extent to which those effects could be mitigated if consent were granted;
 - (iii) the nature and extent of any work or proposal and how conspicuous or significant it would be in the context of the maintenance of the integrity and intrinsic value of the scheduled item;
 - (iv) whether the height, location, design and external appearance of buildings, structures and other objects is appropriate; and

- (v) whether a Conservation Plan prepared by a suitably qualified or experienced person, is provided to ensure the proper management of any heritage resource;
- (b) In the event of an application to damage, modify or destroy an archaeological site identified within the I418.6.8 Historic heritage alert setback, the extent to which the following assessment matters to ensure that adverse effects are avoided, remedied or mitigated have been given regard:
 - (i) the nature, form and extent of the activity and the likelihood of damage, modification or destruction of the archaeological site;
 - (ii) the importance and weight given to the results of any consultation with Mana Whenua;
 - (iii) the significance of the archaeological site assessed on the uniqueness of the site, representative nature of the site, its condition and the importance attached to the site by Mana Whenua and the landowner;
 - (iv) any archaeological assessment carried out and contained in a report by a qualified archaeologist to identify and provide: an assessment of effects, proposals for avoidance or mitigation of effects; the provisions of any relevant management plan where appropriate; and whether the proposal meets the provisions of the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value;
 - (v) the identification of any alternative methods and locations available for applicants to carry out the works or activities;
 - (vi) the degree to which development can occur within I418.6.8 Historic heritage alert overlay setback where there is no adverse effect on the archaeological site; and
 - (vii) the manner in which landowners, the community and Mana Whenua source or provide funding and methods of voluntary protection for the management of archaeological sites including the use of covenants;